

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUDY CASTELLON,
Petitioner

v.

PEOPLE OF THE STATE OF CA.,
Respondent.

Case No. SACV 15-00198-PA (GJS)

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all other documents filed in this action, the Report and Recommendation of United States Magistrate Judge (“Report”), and Petitioner’s Objections to the Report. The Court has conducted a *de novo* review of the matters set forth in the Objections, including Petitioner’s actual innocence arguments, and finds that they do not affect the analysis set forth in the Report or its findings and conclusions.

///

///

///

1 The Court accepts the findings and recommendations set forth in the Report.
2 Accordingly, **IT IS ORDERED** that: (1) Respondent's Motion to Dismiss the
3 Petition is GRANTED; (2) Petitioner's request for an evidentiary hearing (Dkt. No.
4 15) is DENIED; and (3) the Petition is dismissed, with prejudice, as untimely.

5
6 **LET JUDGMENT BE ENTERED ACCORDINGLY.**

7
8 DATE: September 1, 2015

A handwritten signature in dark ink, appearing to read "Percy Anderson", is written over a horizontal line.

PERCY ANDERSON
UNITED STATES DISTRICT JUDGE